

REMARKS/ARGUMENTS

Claims 1-15 are pending in the present application. In the Office Action mailed March 18, 2004, the Examiner rejected claims 1-5 and 10-14 under 35 U.S.C. § 102(e). The Examiner also rejected claims 6-9 and 15 under 35 U.S.C. § 103(a).

In the above amendments, claim 1 has been amended to recite “analyzing an application program prior to execution,” “detecting a sub-sequence of the application program that, when executed, will cause a first error message to be displayed,” and “prior to execution of the application program, overwriting the sub-sequence of the application program with new instructions that, when executed, will cause a second error message to be displayed.” Support for these amendments may be found in Applicants’ specification on page 12, lines 4-23. Claims 2-9 have been cancelled.

Claim 10 has been amended to recite “intercepting a message that has been sent to a display,” “searching the message,” and “detecting a first error message in the message.” Support for these amendments may be found in Applicants’ specification on page 8, lines 5-8 and page 13, lines 6-9.

Claim 12 has been amended to recite “intercepting a message that has been sent to a display,” “searching the message,” “detecting a first error message in the message,” and “sending the second error message to the display.” Support for these amendments may be found in Applicants’ specification on page 8, lines 5-8 and page 13, lines 6-9. Claim 13 has been cancelled.

Reconsideration is respectfully requested in view of the above amendments to the claims and the following remarks.

A. Rejection of Claims 1-5 and 10-14 Under 35 U.S.C. § 102(e)

The Examiner rejected claims 1-5 and 10-14 under 35 U.S.C. § 102(e) as being anticipated by Mikovsky et al. (U.S. Patent No. 6,526,529 B1). Claims 2-5 and 13 have been cancelled. With respect to claims 1, 10-12 and 14, this rejection is respectfully traversed.

“A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference.” M.P.E.P. § 2131 (July 1998) (citing Verdegaal Bros. v. Union Oil Co. of California, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987)). “The identical invention must be shown in as complete detail as is

contained in the ... claim.” M.P.E.P. § 2131 (July 1998) (citing Richardson v. Suzuki Motor Co., 868 F.2d 1226, 1236, 9 USPQ2d 1913, 1920 (Fed. Cir. 1989)). In addition, “the reference must be enabling and describe the applicant’s claimed invention sufficiently to have placed it in possession of a person of ordinary skill in the field of the invention.” In re Paulsen, 30 F.3d 1475, 1479, 31 USPQ2d 1671, 1673 (Fed. Cir. 1994).

Applicants respectfully submit that Miksovsky does not anticipate claim 1 under 35 U.S.C. § 102(e) because Miksovsky does not disclose all of the limitations in claim 1. For example, Miksovsky does not disclose “analyzing an application program prior to execution” and “in response to the analyzing of the application program, detecting a sub-sequence of the application program that, when executed, will cause a first error message to be displayed,” as recited in claim 1. Miksovsky also does not disclose “overwriting the sub-sequence of the application program with new instructions that, when executed, will cause a second error message to be displayed,” as recited in claim 1.

Miksovsky relates generally to “a system and method for dynamically updating the error messages of a shipped software product.” Miksovsky, col. 1, lines 63-65. “[A] file comprising updated error message information (i.e., a dynamic error messages file 60) is downloaded for a software product (e.g., application program 62) from an external source such as a server 64 on the Internet 66 to a client machine, such as the computer system 20.” Id., col. 4, lines 37-42; Figure 2. A centralized error handling mechanism 80 is used to handle the output of messages initially handled by one or more dll-based error handlers 82. See id., col. 5, lines 60-63.

In contrast to claim 1, however, neither the dll-based error handlers 82 nor the centralized error handling mechanism 80 “analyz[e] an application program prior to execution.” Instead, Figure 2 of Miksovsky shows the dll-based error handlers 82 and the centralized error-handling mechanism 80 as being part of the client application 62. The following portion of Miksovsky also indicates that the dll-based error handlers 82 and the centralized error-handling mechanism 80 are part of the client application 62:

In general, when a software product detects or receives a (numbered) error 70 via some error detection code in the product, an appropriate error handling mechanism in the code outputs an error message 74 to the user via some user interface 76. A centralized error handling mechanism 80 in the form of an internal API may be used to handle the output of messages initially handled by one or more dll-based error handlers 82.

Miksovsky, col. 5, lines 56-63 (emphasis added). The fact that the dll-based error handlers 82 and the centralized error-handling mechanism 80 are part of the client application 62 indicates that these components operate during, not prior to, execution of the client application 62.

In addition, neither the dll-based error handlers 82 nor the centralized error handling mechanism 80 “overwrit[e] the sub-sequence of the application program with new instructions that, when executed, will cause a second error message to be displayed,” as recited in claim 1. Rather, the centralized error handling mechanism 80 operates as described in the following portion of Miksovsky:

[T]he centralized error handling mechanism 80 is enhanced to be able to handle dynamic message information. When the centralized error handling mechanism 80 is called at display time by the dll-based error handling mechanism 82, the centralized error handling mechanism 80 first searches the dynamic error messages file 60 for updated error message information for that error. More particularly, the centralized error handling mechanism 80 is passed a numerically-identified errorcode, and knows which dll is calling. From the errorcode and dll identity, a search string is built (e.g., by code 84, FIG. 4), and the dynamic error messages file 60 searched for the error information by a search mechanism 86. ... If corresponding dynamic error message information exists in the file, the centralized error handling mechanism 80 interprets (as described below) the information via some result interpreting code 88 to provide the updated error message 74 to the user. If no dynamic error message information exists, the centralized error handling mechanism 80 uses the existing, static message 84 for output to the user, as also described below.

Miksovsky, col. 6, lines 4-29. Thus, the dll-based error handlers 82 pass an error code to the centralized error handling mechanism 80, and the centralized error handling mechanism 80 searches the dynamic error messages file 60. However, no sub-sequence of the application program 62 is overwritten prior to execution of the application program 62.

As can be seen from the foregoing discussion, Miksovsky does not disclose all of the limitations in claim 1. Accordingly, Applicants respectfully request that the rejection of claim 1 be withdrawn.

Claims 2-5 have been cancelled. Accordingly, Applicants respectfully request that the rejection of claims 2-5 be withdrawn.

Applicants respectfully submit that Miksovsky does not anticipate claim 10 under 35 U.S.C. § 102(e) because Miksovsky does not disclose all of the limitations in claim 10. For

example, Miksovsky does not disclose “intercepting a message that has been sent to a display,” as recited in claim 10.

As described above, Miksovsky discloses a centralized error handling mechanism 80. The centralized error handling mechanism 80 “may be used to handle the output of messages initially handled by one or more dll-based error handlers 82.” Miksovsky, col. 5, lines 60-63.

In contrast to claim 10, however, the centralized error handling mechanism 80 of Miksovsky does not “intercept[] a message that has been sent to a display.” Instead, the centralized error handling mechanism 80 executes in response to being called by the dll-based error-handlers 82. This is demonstrated in the following portions of Miksovsky:

When the centralized error handling mechanism 80 is called at display time by the dll-based error handling mechanism 82, the centralized error handling mechanism 80 first searches the dynamic error messages file 60 for updated error message information for that error. More particularly, the centralized error handling mechanism 80 is passed a numerically-identified errorcode, and knows which dll is calling.

[S]tep 600 represents the receipt of an errorcode and existing message (or pointer thereto) when the centralized error handling mechanism 80 is called.

Miksovsky, col. 6, lines 6-13; col. 8, lines 14-17 (emphasis added). Thus, the messages that the centralized error handling mechanism 80 receives (i.e., the errorcodes) are sent to and intended to be received by the centralized error handling mechanism 80. The centralized error handling mechanism 80 does not intercept any messages that have been sent to a display.

As can be seen from the foregoing discussion, Miksovsky does not disclose all of the limitations in claim 10. Accordingly, Applicants respectfully request that the rejection of claim 10 be withdrawn.

Claim 11 depends from claim 10. Thus, Applicants respectfully request that the rejection of claim 11 be withdrawn for at least the same reasons as those provided above with respect to claim 10.

Applicants respectfully submit that Miksovsky does not anticipate claim 12 under 35 U.S.C. § 102(e) because Miksovsky does not disclose all of the limitations in claim 12. Claim 12 recites “intercepting a message that has been sent to a display.” As explained above,

Miksovsky does not disclose this limitation. Accordingly, Applicants respectfully request that the rejection of claim 12 be withdrawn.

Claim 13 has been cancelled. Accordingly, Applicants respectfully request that the rejection of claim 13 be withdrawn.

Claim 14 depends from claim 12. Thus, Applicants respectfully request that the rejection of claim 14 be withdrawn for at least the same reasons as those provided above with respect to claim 12.

B. Rejection of Claims 6-9 and 15 Under 35 U.S.C. § 103(a)

The Examiner rejected claim 6 under 35 U.S.C. § 103(a) as being unpatentable over Miksovsky et al. (U.S. 6,526,529 B1) in view of Viet (U.S. 6,463,147 B1). Claim 6 has been cancelled. Accordingly, Applicants respectfully request that the rejection of claim 6 be withdrawn.

The Examiner rejected claim 7 under 35 U.S.C. § 103(a) as being unpatentable over Miksovsky et al. (U.S. 6,526,529 B1) in view of Viet (U.S. 6,463,147 B1) and Boivie (U.S. 4,453,217). Claim 7 has been cancelled. Accordingly, Applicants respectfully request that the rejection of claim 7 be withdrawn.

The Examiner rejected claim 8 under 35 U.S.C. § 103(a) as being unpatentable over Miksovsky et al. (U.S. 6,526,529 B1) in view of Ganugapati (U.S. 2002/0114438 A1). Claim 8 has been cancelled. Accordingly, Applicants respectfully request that the rejection of claim 8 be withdrawn.

The Examiner rejected claim 9 under 35 U.S.C. § 103(a) as being unpatentable over Miksovsky et al. (U.S. 6,526,529 B1) in view of Noguchi et al. (U.S. 6,105,150) and Schoettger (U.S. 2002/0069366 A1). Claim 9 has been cancelled. Accordingly, Applicants respectfully request that the rejection of claim 9 be withdrawn.

The Examiner rejected claim 15 under 35 U.S.C. § 103(a) as being unpatentable over Miksovsky et al. (U.S. 6,526,529 B1) in view of Ganugapati (U.S. 2002/0114438 A1). This rejection is respectfully traversed.

The M.P.E.P. states that

To establish a *prima facie* case of obviousness, three basic criteria must be met. First, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one

of ordinary skill in the art, to modify the reference or to combine reference teachings. Second, there must be a reasonable expectation of success. Finally, the prior art reference (or references when combined) must teach or suggest all the claim limitations. The teaching or suggestion to make the claimed combination and the reasonable expectation of success must both be found in the prior art, and not based on applicant's disclosure.

The initial burden is on the examiner to provide some suggestion of the desirability of doing what the inventor has done. To support the conclusion that the claimed invention is directed to obvious subject matter, either the references must expressly or impliedly suggest the claimed invention or the examiner must present a convincing line of reasoning as to why the artisan would have found the claimed invention to have been obvious in light of the teachings of the references.

M.P.E.P. § 2142. Applicants respectfully submit that the combination of Miksovsky and Ganugapati does not teach or suggest all the limitations in claim 15.

Claim 15 depends from claim 12. Claim 12 recites "intercepting a message that has been sent to a display." As explained above, Miksovsky does not teach or suggest this limitation.

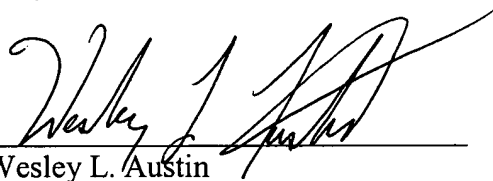
Ganugapati does not make up for the deficiencies of Miksovsky. Ganugapati relates generally to a Personal Phonebook Service (PPBS). "The PPBS service is provided by a telephone company to allow subscribers, or authorized users, to store a plurality of contact information entries, e.g., telephone numbers, in database 16." Ganugapati, par. 22. Ganugapati discloses an "interactive announcement translation table 35 [that] contains codes 41 and announcement messages 42 used by PPBS system 20 to guide users during data access, or to indicate error conditions." *Id.*, par. 24. However, there is nothing in Ganugapati that teaches or suggests "intercepting a message that has been sent to a display," as recited in claim 12, from which claim 15 depends.

As can be seen from the foregoing discussion, the combination of Ganugapati and Miksovsky does not teach or suggest all of the limitations in claim 15. Accordingly, Applicants respectfully request that the rejection of claim 15 be withdrawn.

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Reply to Office Action of March 18, 2004

Applicants respectfully assert that claims 1, 10-12 and 14-15 are patentably distinct from the cited references, and request that a timely Notice of Allowance be issued in this case. If there are any remaining issues preventing allowance of the pending claims that may be clarified by telephone, the Examiner is requested to call the undersigned.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Wesley L. Austin', is written over a horizontal line.

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